

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT  
DOCUMENT  
PLAINTIFFS ORICALLY FILED  
DOC #  
DATE FILED: 2/16/12

IN RE REFCO SECURITIES LITIGATION	:	07 MDL 1902 (JSR)
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	:	
	X	
KENNETH M. KRYS, et al.,	:	
	:	
Plaintiffs,	:	08 Civ. 3065 (JSR)
	:	08 Civ. 3086 (JSR)
-v-	:	
CHRISTOPHER SUGRUE, et al.,	:	<u>ORDER</u>
	:	
Defendants.	:	
	X	

JED S. RAKOFF, U.S.D.J.

On August 1, 2011, Special Master Ronald J. Hedges issued a Report and Recommendation in the above-captioned case on plaintiffs' motion for default judgment against defendants Christopher Sugrue, Phillip Bennett, and Refco Group Holdings, Inc. ("RGHI"). Special Master Hedges recommended default judgment be entered as to defendants Bennett and RGHI, but be vacated as to defendant Sugrue, with leave to serve Sugrue consistent with Rule 4(f) of the Federal Rules of Civil Procedure. Subsequently, plaintiffs informed Special Master Hedges that Judge Lynch had authorized substituted service on defendant Sugrue (by email and by international courier service at his address in Angola), pursuant to Rule 4(f)(3), in an Order dated August 18, 2008, and stated they had effectuated such substituted service. Accordingly, on September 6, 2011, Special Master Hedges issued a revised Report and Recommendation on plaintiffs' motion for default judgment recommending

that default judgment be entered as to all three defendants named in plaintiffs' moving papers.

Defendants have failed to file any objections to either the original or revised Report and Recommendation. See Case Management Order No. 3, dated Nov. 2, 2009. Accordingly, the Court hereby adopts the Special Master's revised Report and Recommendation in its entirety as if incorporated herein and directs that default judgment be entered against defendants Sugrue, Bennett, and RGHI. Clerk to enter judgment.

SO ORDERED.



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JED S. RAKOFF, U.S.D.J.

Dated: New York, New York  
February 14, 2012